

09-04-01

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JC962 U.S. PTO
08/31/01Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	1-21526
First Inventor	Henry J. Simon
Title	METHOD OF MEASURING SURFACE PLASMON RESONANCE
Express Mail Label No.	EL 899807653 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
- ☒ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification [Total Pages **21**]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **4**]
- Oath or Declaration [Total Pages **2**]
 - ☒ Newly executed (original or copy)
 - ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☒ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- ☒ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information: Examiner _____

Group / Art Unit _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

(Insert Customer Number or Bar Code Label here)

or ☐ Correspondence address below

Name	04859		
Address	PATENT TRADEMARK OFFICE		
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type) Ted C. Gillespie

Registration No. (Attorney/Agent)

27,981

Signature

Ted C. Gillespie

Date

August 31, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

JC979 U.S. PTO
09/943696
08/31/01

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number
Filing Date
First Named Inventor **Henry J. Simon**
Examiner Name
Group Art Unit
Attorney Docket No. **1-21526**

TOTAL AMOUNT OF PAYMENT **\$512.00**

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **13-0005**
Deposit Account Name **MacMillan, Sobanski & Todd**

- ☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
☒ Applicant claims small entity status. See 37 CFR § 1.27

2. ☐ Payment Enclosed:
☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid
101	710	201	355 Utility filing fee	355.00
106	320	206	160 Design filing fee	
107	490	207	245 Plant filing fee	
108	710	208	355 Reissue filing fee	
114	150	214	75 Provisional filing fee	
SUBTOTAL (1)				\$355.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
33	-20** = 13	9.00	117.00
2	-3** = 0		0.00
Multiple Dependent			

Large Entity Code	Small Entity Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9 Claims in excess of 20	
102	80	202	40 Independent claims in excess of 3	
104	270	204	135 Multiple dependent claim, if not paid	
109	80	209	40 ** Reissue independent claims over original patent	
110	18	210	9 ** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				\$117.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non - English specification	
147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	390	216	195 Extension for reply within second month	
117	890	217	445 Extension for reply within third month	
118	1,390	218	695 Extension for reply within fourth month	
128	1,890	228	945 Extension for reply within fifth month	
119	310	219	155 Notice of Appeal	
120	310	220	155 Filing a brief in support of an appeal	
121	270	221	135 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,240	241	620 Petition to revive - unintentional	
142	1,240	242	620 Utility issue fee (or reissue)	
143	440	243	220 Design issue fee	
144	600	244	300 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR § 1.17(q)	
126	180	126	180 Submission of Information Disclosure Statement	
581	40	581	40 Recording each patent assignment per property (times number of properties)	40.00
146	710	246	355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify)				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **\$40.00**

SUBMITTED BY

Name (Print/Type) **Ted C. Gillespie**
Signature *Ted C. Gillespie*

Registration No. (Attorney/Agent)

27,981

Complete (if applicable)

Telephone **(419) 255-5900**

Date **August 31, 2001**

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Henry J. Simon	
Title	METHOD OF MEASURING SURFACE PLASMON RESONANCE USING INTERFERENCE etc.	
Atty Docket Number	1-21526	

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 31, 2001

Date



Signature

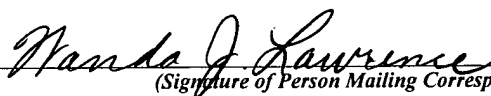
Ted C. Gillespie

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. 1-21526
Applicant(s): Henry T. Simon et al.			
Serial No. (to be assigned)	Filing Date herewith	Examiner unknown	Group Art Unit unknown
Invention: METHOD OF MEASURING SURFACE PLASMON RESONANCE USING INTERFERENCE STRUCTURE OF REFLECTED BEAM PROFILE			
I hereby certify that the following correspondence:			
<div>21 pg. Patent Appln., 4 sheets Drawings, Appln. Transmittal, Fee Transmittal (in dup.), Request & Cert., Dec. & Power, Assignment plus Recordation Form Cover Sheet, return receipt postcard</div> <p>(Identify type of correspondence)</p>			
is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on			
<div>August 31, 2001</div> <p>(Date)</p>			
<div>Wanda J. Lawrence</div> <p>(Typed or Printed Name of Person Mailing Correspondence)</p>			
<div></div> <p>(Signature of Person Mailing Correspondence)</p>			
<div>EL 899807653 US</div> <p>("Express Mail" Mailing Label Number)</p>			
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